

Department of Health
Notice of Rulemaking Hearing
Board of Nursing
Division of Health Related Boards

There will be a hearing before the Tennessee Board of Nursing to consider the promulgation of amendments to rules, new rules, and repeal of rules pursuant to T.C.A. §§ 4-5-202, 4-5-204, and 63-7-207. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Division of Health Related Board's Conference Room on the Third Floor of the Heritage Place Building located at 227 French Landing, Nashville, TN at 2:30 p.m. (CST) on the 19th day of December, 2006.

Any individuals with disabilities who wish to participate in these proceedings (review these filings) should contact the Department of Health, Division of Health Related Boards to discuss any auxiliary aids or services needed to facilitate such participation or review. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date such party intends to review such filings), to allow time for the Division to determine how it may reasonably provide such aid or service. Initial contact may be made with the ADA Coordinator at the Division of Health Related Boards, 227 Fr. Landing, Ste. 300, Heritage Pl., MetroCenter, Nashville, TN 37243, (615) 532-4397.

For a copy of the entire text of this notice of rulemaking hearing contact: Jerry Kosten, Regulations Manager, Division of Health Related Boards, 227 French Landing, Suite 300, Heritage Place, MetroCenter, Nashville, TN 37243, (615) 532-4397.

Substance of Proposed Rules

Amendments

Rule 1000-1-.04, Discipline of Licensees, Unauthorized Practice of Professional Nursing, Civil Penalties, Screening Panels, Subpoenas, Advisory Rulings, Declaratory Orders, and Assessment of Costs, is amended by deleting subparagraph (4) (c) in its entirety and substituting instead the following language, and is further amended by deleting subparagraph (4) (d) in its entirety, so that as amended, the new subparagraph (4) (c) shall read:

- (4) (c) The Board authorizes the member who chaired the Board for a contested case to be the agency member to make the decisions authorized pursuant to rule 1360-4-1-.18 regarding petitions for reconsiderations and stays in that case.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-7-115, 63-7-116, and 63-7-207.

Rule 1000-1-.11, Definitions, is amended by deleting subparagraph (8) (c) in its entirety and substituting instead the following language, and is further amended by deleting

subparagraph (8) (d) in its entirety, and is further amended by deleting paragraph (15) in its entirety and substituting instead the following language, and is further amended by deleting paragraph (22) in its entirety, so that as amended, the new introductory language, the new subparagraph (8) (c) and the new paragraph (15) shall read:

1000-1-.11 Definitions. As used in Chapters 1 through 5 of Rule 1000, the following terms and acronyms shall have the following meanings ascribed to them:

(8) (c) Practical: A program leading to a certificate in practical nursing conducted in a regionally accredited academic institution, except for the existing practical nursing program at Blount County Memorial Hospital.

(15) Examination: Refers to the National Council Licensure Examination (NCLEX®) or its predecessor examination.

Authority: T.C.A. §§ 4-5-202, 4-5-204, and 63-7-207.

Rule 1000-1-.12, Fees, is amended by deleting paragraph (2) in its entirety and substituting instead the following language, so that as amended, the new paragraph (2) shall read:

(2) Except for the Biennial State Regulatory Fee, all fees paid to the Tennessee Board of Nursing are non-refundable.

Authority: T.C.A. §§ 4-3-1011, 4-5-202, 4-5-204, 63-7-106, and 63-7-207.

Rule 1000-1-.13, Unprofessional Conduct and Negligence, Habits or Other Cause, is amended by inserting the following language as new subparagraphs (1) (w) and (1) (x), and renumbering the current subparagraph (1) (w) as subparagraph (1) (y):

(1) (w) Failure to respond to a request from the Board to submit documentation of continued competence requirements, as provided in Rule 1000-1-.14;

(1) (x) Failure to successfully complete continued competence requirements, as provided in Rule 1000-1-.14; and

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-7-115, and 63-7-207.

Rule 1000-2-.04, Discipline of Licensees, Unauthorized Practice of Practical Nursing, Civil Penalties, Screening Panels, Subpoenas, Advisory Rulings, Declaratory Orders, and Assessment of Costs, is amended by deleting subparagraph (4) (c) in its entirety and substituting instead the following language, and is further amended by deleting subparagraph (4) (d) in its entirety, so that as amended, the new subparagraph (4) (c) shall read:

- (4) (c) The Board authorizes the member who chaired the Board for a contested case to be the agency member to make the decisions authorized pursuant to rule 1360-4-1-18 regarding petitions for reconsiderations and stays in that case.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-7-115, 63-7-116, and 63-7-207.

Rule 1000-2-.11, Definitions, is amended by deleting subparagraph (8) (c) in its entirety and substituting instead the following language, and is further amended by deleting subparagraph (8) (d) in its entirety, and is further amended by deleting paragraph (14) in its entirety and substituting instead the following language, and is further amended by deleting paragraph (21) in its entirety, so that as amended, the new introductory language, the new subparagraph (8) (c) and the new paragraph (14) shall read:

1000-2-.11 Definitions. As used in Chapters 1 through 5 of Rule 1000, the following terms and acronyms shall have the following meanings ascribed to them:

- (8) (c) Practical: A program leading to a certificate in practical nursing conducted in a regionally accredited academic institution, except for the existing practical nursing program at Blount County Memorial Hospital.
- (14) Examination: Refers to the National Council Licensure Examination (NCLEX®) or its predecessor examination.

Authority: T.C.A. §§ 4-5-202, 4-5-204, and 63-7-207.

Rule 1000-2-.12, Fees, is amended by deleting paragraph (2) in its entirety and substituting instead the following language, so that as amended, the new paragraph (2) shall read:

- (2) Except for the Biennial State Regulatory Fee, all fees paid to the Tennessee Board of Nursing are non-refundable.

Authority: T.C.A. §§ 4-3-1011, 4-5-202, 4-5-204, 63-7-111, and 63-7-207.

Rule 1000-2-.13, Unprofessional Conduct and Negligence, Habits or Other Cause, is amended by inserting the following language as new subparagraphs (1) (v) and (1) (w), and renumbering the current subparagraph (1) (v) as subparagraph (1) (x):

- (1) (v) Failure to respond to a request from the Board to submit documentation of continued competence requirements, as provided in Rule 1000-2-.14;
- (1) (w) Failure to successfully complete continued competence requirements, as provided in Rule 1000-2-.14; and

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-7-115, and 63-7-207.

Rule 1000-4-.06, Fees, is amended by adding the following language as new paragraph (3):

- (3) Except for the State Regulatory Fee (biennial), all fees paid to the Tennessee Board of Nursing are non-refundable.

Authority: T.C.A. §§ 4-3-1011, 4-5-202, 4-5-204, 63-7-106, 63-7-123, 63-7-126, and 63-7-207.

New Rules

Chapter 1000-5 General Rules Governing Schools of Nursing

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- 1000-5-.01 Purpose of Nursing Education Standards
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- 1000-5-.07 Denial, Withdrawal and Reinstatement of Approval, or Closing of a Nursing Education Program

1000-5-.01 Purpose of Nursing Education Standards. The purpose of nursing education standards is to:

- (1) Ensure that graduates of nursing education programs are prepared for safe and effective nursing practice; and
- (2) Provide criteria for the development, evaluation and improvement of new and established nursing education programs; and
- (3) Assure candidates are educationally prepared for practice, licensure, certification and recognition at the appropriate level.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-7-117, and 63-7-207.

1000-5-.02 Nursing Education Standards. Institutions desiring to conduct a school of professional nursing, or a school of practical nursing, on ground, distance, online or via other electronic means shall meet the standards of this rule. This includes nursing programs for initial licensure and nursing programs that do not lead to initial licensure.

- (1) The purpose and outcomes of the nursing program shall be consistent with T.C.A. §§ 63-7-101, et seq., other relevant state and federal statutes, and all rules and regulations of the Board.
- (2) The purpose and outcomes of the nursing program shall be consistent with generally accepted standards of nursing practice appropriate for graduates of the type of nursing program offered.
- (3) The input of consumers and the public shall be considered in developing and evaluating the purpose and outcomes of the program.
- (4) The nursing program shall implement a comprehensive, systematic plan for ongoing evaluation that is based on program outcomes and incorporates continuous improvement.
- (5) The curriculum shall provide diverse, didactic and clinical learning experiences consistent with program outcomes.
- (6) Faculty and students shall participate in program planning, implementation, evaluation, and continuous improvement.
- (7) The nursing program administrator shall be a professionally and academically qualified Registered Nurse with institutional authority and administrative responsibility for the program.
- (8) Professionally, academically and clinically qualified nurse faculty shall be sufficient in number and expertise to accomplish program outcomes and quality improvement.
- (9) The fiscal, human, physical, clinical and technical learning resources shall be adequate to support program processes, security and outcomes.
- (10) Program information communicated by the nursing program shall be accurate, complete, consistent and readily available.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-7-117, and 63-7-207.

1000-5-.03 Nursing Education Program Requirements. The organization and administration of the nursing education program shall be consistent with T.C.A. §§ 63-7-101, et seq., other relevant state and federal statutes, and all rules and regulations of the Board. The nursing education program shall be an integral part of a governing academic institution that is in good standing with and is accredited by a body that is recognized by the U.S. Secretary of Education. The following minimal criteria serve to support implementation of the nursing education standards:

- (1) Evaluation—A comprehensive nursing education program self-evaluation shall be performed annually for quality improvement and shall include but not be limited to:
 - (a) Students' achievement of program outcomes; and
 - (b) Evidence of adequate program resources including fiscal, physical, human, clinical and technical learning resources; and the availability of clinical sites and the viability of those sites to meet the objectives of the program; and
 - (c) Multiple measures of program outcomes for graduates, i.e. National Council Licensure Examination (NCLEX) pass rates, student and/or employer surveys, and successful completion of national certification programs; and
 - (d) Evidence that accurate program information for consumers is readily available, i.e. fees and admission criteria, which can be made available by oral, written and electronic means; and
 - (e) The head of the academic institution and the administration support program outcomes; and
 - (f) Program administrator and program faculty meet Board qualifications and are sufficient to achieve program outcomes; and
 - (g) Evidence that the academic institution assures security of student information.
- (2) Curriculum
 - (a) The curriculum of the nursing education program shall enable the student to develop the nursing knowledge, skills and competencies necessary for the level, scope and standards of nursing practice consistent with the level of licensure. The curriculum shall include:
 1. Content regarding legal and ethical issues, history and trends in nursing and health care, and professional responsibilities; and
 2. Experiences that promote the development of clinical judgment, leadership and management skills, and professional socialization consistent with the level of licensure. This includes demonstration of the ability to supervise others and provide leadership of the profession; and

3. Learning experiences and methods of instruction, including distance education methods, consistent with the written curriculum plan; and
4. Coursework including, but not limited to:
 - (i) Content in the biological, physical, social and behavioral sciences to provide a foundation for safe and effective nursing practice; and
 - (ii) Didactic content and supervised clinical experience in the prevention of illness and the promotion, restoration, and maintenance of health in clients across the lifespan and in a variety of clinical settings, to include:
 - (I) Using informatics to communicate, manage knowledge, mitigate error and support decision-making; and
 - (II) Employing evidence-based practice to integrate best research with clinical expertise and client values for optimal care, including skills to identify and apply best practices to nursing care; and
 - (III) Providing client-centered, culturally competent care.
 - I. Respecting client differences, values, preferences and expressed needs.
 - II. Involving clients in decision-making and care management.
 - III. Coordinating and managing continuous client care.
 - IV. Promoting healthy lifestyles for clients and populations; and
 - (IV) Working in interdisciplinary teams to cooperate, collaborate, communicate and integrate client care and health promotion; and

- (V) Participating in quality improvement processes to measure client outcomes, identify hazards and errors, and develop changes in processes of client care.
 - (b) Supervised clinical practice shall include development of skill in making clinical judgments, management and care of groups of clients, and delegation to and supervision of other health care providers.
 - 1. Clinical experience shall be comprised of sufficient hours to meet these standards, be supervised by qualified faculty and ensure students' ability to practice at an entry level.
 - 2. All student clinical experiences, including those with preceptors, shall be directed by nursing faculty.
 - (c) Delivery of instruction by distance education methods must be consistent with the program curriculum plan including supervised clinical practice pursuant to subpart (2) (a) 4. (ii) above, and enable students to meet the goals, competencies and objectives of the educational program and standards of the Board. Delivery of more than fifty percent (50%) of the total didactic nursing instruction by distance and/or online education methods is not acceptable for programs leading to initial licensure.
- (3) Students
- (a) Students shall be provided the opportunity to acquire and demonstrate the knowledge, skills and abilities for safe and effective nursing practice, in theory and clinical experience with faculty oversight.
 - (b) All policies relevant to applicants and students shall be available in writing.
 - (c) Students shall be required to meet the health standards and criminal background checks as required in the state.
 - (d) Students shall receive faculty instruction, advisement and oversight.
 - (e) Students shall be held accountable for the integrity of their work.
 - (f) Students shall be high school graduates or the equivalent.

(4) Administrator qualifications

(a) Administrator qualifications in a program preparing for Licensed Practical Nurse licensure shall include:

1. A current, active and unencumbered Registered Nurse license or privilege to practice and meet requirements in the state where the program is approved and/or accredited; and
2. A minimum of a baccalaureate degree in nursing and a master's degree in nursing or related field, or a nursing doctorate; and
4. Directors of nursing programs approved before the effective date of these rules who do not have a master's degree in nursing shall submit a plan to the Board for completion of the master's degree; and
5. Educational preparation and at least three (3) years of full-time experience in teaching and learning principles for adult education, including curriculum development and administration, and at least two (2) years of clinical experience; and
6. A current knowledge of nursing practice at the practical/vocational level.

(b) Administrator qualifications in a program preparing for Registered Nurse licensure shall include:

1. A current, active and unencumbered Registered Nurse license or privilege to practice and meet requirements in the state where the program is approved and/or accredited; and
2. A doctoral degree in nursing, or a doctoral degree in a related field combined with either a master's degree in a clinical nursing specialty or a post-graduate certificate in a clinical nursing specialty; and
3. Directors of nursing programs approved before the effective date of these rules who do not have a doctoral degree in nursing shall submit a plan to the Board for completion of the doctoral degree; and

4. Educational preparation or experience in teaching and learning principles for adult education, including curriculum development and administration, and at least two (2) years of clinical experience; and
 5. A current knowledge of registered nursing practice.
- (c) Administrator (program head) qualifications in a program preparing for Advanced Practice Nurse certification shall include:
1. A current, active and unencumbered registered Nurse license or privilege to practice and meet requirements in the state where the program is approved and/or accredited;
 2. Graduate preparation consistent with national accreditation standards. It is recommended that the master's or doctoral degree be in the specified Advanced Practice Nurse category; and
 3. Directors of nursing programs approved before the effective date of these rules who do not have a doctoral degree in nursing shall submit a plan to the Board for completion of the doctoral degree; and
 4. Educational preparation or experience in teaching and learning principles for adult education, including curriculum development and administration, and at least two (2) years of clinical experience; and
 5. A current knowledge of Advanced Practice Nurse practice.

(5) Faculty

- (a) There shall be a sufficient number of qualified faculty to meet the objectives and purposes of the nursing education program.
- (b) The nursing faculty shall hold a current, active and unencumbered Registered Nurse license or privilege to practice and meet requirements in the state where the program is approved.
- (c) Clinical faculty shall hold a license or privilege to practice and meet requirements in the state where the program is approved.
- (d) Qualifications for nursing faculty who teach in a program leading to licensure as a Licensed Practical Nurse are to:

1. Have a minimum of a baccalaureate degree with a major in nursing; and
 2. Faculty of nursing programs approved before the effective date of these rules who do not have a baccalaureate degree in nursing shall submit a plan to the Board for completion of the baccalaureate degree; and
 3. Have three (3) years of clinical experience; and
 4. Have preparation in teaching and learning principles for adult education, including curriculum implementation; and
 5. Have current knowledge of Licensed Practical Nurse practice.
- (e) Qualifications for nursing faculty who teach in a program leading to licensure as a Registered Nurse are to:
1. Have a minimum of a master's degree with a major in nursing or a nursing doctorate degree; and
 2. Have clinical experience; however a minimum of three (3) years experience is recommended; and
 3. Have preparation in teaching and learning principles for adult education, including curriculum development and implementation; and
 4. Have current knowledge of Registered Nurse practice.
- (f) Qualifications for nursing faculty who teach in program specialty specific courses leading to licensure as an Advanced Practice Nurse are to:
1. Have a minimum of a master's degree in nursing in a related clinical specialty, or in the specified Advanced Practice Nurse category; and
 2. Have a certificate or privilege to practice as an Advanced Practice Nurse; and
 3. Have clinical experience; however a minimum of three (3) years experience is recommended; and

4. Have preparation in teaching and learning principles for adult education, including curriculum development and implementation; and
 5. Have current knowledge of Advanced Practice Nurse practice.
- (g) Interdisciplinary faculty who teach non-clinical nursing courses shall have advanced preparation appropriate to these areas of content.
- (h) Preceptors – Clinical preceptors shall have demonstrated competencies related to the area of assigned clinical teaching responsibilities and will serve as a role model and educator to the student. Clinical preceptors may be used to enhance faculty-directed clinical learning experiences, provided they are used as an adjunct to faculty-directed clinical learning experiences and not as a substitute for clinical faculty in sufficient numbers.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-7-117, 63-7-118, and 63-7-207.

1000-5-.04 Additional Required Components of Graduate Education Programs Preparing Advanced Practice Nurses.

- (1) Licensure Requirement for Advanced Practice Nurse Students – Each student enrolled in an Advanced Practice Nurse program shall be currently licensed or privileged to practice as a Registered Nurse in Tennessee or another state prior to involvement in clinical practice as a student Advanced Practice Nurse.
- (2) Education programs offered by an accredited college or university that offers a graduate degree with a concentration in the advanced nursing practice specialty; or post-master's certificate programs offered by an accredited college or university shall include the following components:
 - (a) Clinical supervision must be congruent with current national specialty organizations and nursing accrediting body standards applicable to the Advanced Practice Nurse role and specialty.
 - (b) The curriculum is congruent with national standards for graduate level and advanced practice nursing education and is consistent with nationally recognized Advanced Practice Nurse roles and specialties, and includes but is not limited to:
 1. Graduate nursing program core courses; and

2. An advanced practice nursing core, including legal, ethical and professional responsibilities of the Advanced Practice Nurse; and
3. Coursework focusing on the Advanced Practice Nurse role and specialty.

(c) The curriculum meets the following criteria:

1. Consistent with competencies of the specific areas of practice.
2. Dual track Advanced Practice Nurse programs (preparing for two [2] specialties) or combined nurse practitioner/clinical nurse specialist shall include content and clinical experience in both functional roles and specialties.
3. Instructional track/major has a minimum of five hundred (500) supervised clinical hours for each specialty track or five hundred (500) anesthesia cases. The supervised experience is directly related to the knowledge and role of the specialty and category.
4. There shall be provisions for the recognition of prior learning and advanced placement in the curriculum for individuals who hold a master's in nursing who are seeking preparation in a different role and specialty. Post-master's nursing students shall complete the requirements of the Master's Advanced Practice Nurse program through a formal graduate level certificate or master level track in the desired role and specialty. Post-master's students must master the same Advanced Practice Nurse outcome criteria as the master-level students and are required to complete a minimum of five hundred (500) supervised clinical hours.

(d) A lead faculty member who is educated and nationally certified in the same specialty area and holds a certificate as an Advanced Practice Nurse shall coordinate the educational component for the role and specialty in the Advanced Practice Nurse program.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-7-117, 63-7-118, and 63-7-207.

1000-5-.05 Approval of a Nursing Education Program. Before establishing or operating a new nursing education program, the program shall complete the process described in

paragraphs (2) and (3). It is the Board's intent that paragraph (2) is the first step in the approval process and that paragraph (3) is the second step in the approval process

(1) Types of Approval

- (a) Initial approval is granted a new school that has not been in operation long enough to graduate its first class but demonstrates its eligibility for full approval. Any agency or institution wishing to establish a school of nursing shall comply with this rule. This type of approval is essentially a tentative approval that is granted to a new school. The program is reviewed each year; and after the first students are graduated, the program is considered for full approval.
- (b) Full approval is granted a school that has met the requirements that are set forth by the Board and has demonstrated its ability to provide an educational program which meets the Board's standards. Full approval may be granted to any school of nursing, having an initial or conditional approval and thereafter for a period of two (2) years, if, in the opinion of the Board, it meets the minimum requirements of the Board and has demonstrated that it is providing an adequate educational program.
- (c) Conditional approval is accorded a school which has failed to maintain minimum standards of the Board and has been notified that it must meet the Board's requirements within one (1) year from the date of notice. A school previously having initial or full approval may be granted conditional approval, if, in the opinion of the Board, it fails to meet the major educational criteria and/or curriculum standards. If within a period of one (1) year the school has not demonstrated evidence of meeting the major criteria and/or standards, conditional approval shall be withdrawn.

(2) Application to Board—The proposed program shall provide the following information to the Board:

- (a) Reasons for establishing the program and a proposed timeline for initiating and expanding the program.
- (b) Results of a needs assessment, including identification of potential students and employment opportunities for program graduates.
- (c) Identification of sufficient financial and other resources, including anticipated revenues and expenses projected for a five (5) year period.

- (d) Governing institution approval and support.
 - (e) Community support.
 - (f) Type of educational program proposed.
 - (g) Clinical opportunities and availability of resources.
 - (h) Availability of qualified faculty.
 - (i) A pool of available students.
- (3) Approval for admission of students—The proposed program shall provide verification to the Board that the following program components and processes have been completed prior to the Board authorizing the program to admit students:
- (a) Employ director and sufficient faculty to develop program
 - 1. Qualifications of faculty – There shall be a provision made for faculty who hold a master’s degree or higher with a formal clinical specialization to teach in the respective clinical specialty areas.
 - 2. Conditions of the program may require additional personnel.
 - (b) Overview of total curriculum including:
 - 1. Content
 - 2. Schedule (course sequence)
 - 3. Course descriptions
 - 4. Contracts for clinical sites
 - 5. Program evaluation plan
 - 6. Board consultation with a site review
 - 7. Course syllabi for first (1st) year with identified timeline for submission of syllabi for next years.
 - (c) Student policies for admission, progression, retention and graduation.

- (d) Site visit conducted by Board's executive director or his/her designee.
- (4) Program review
 - (a) The Board will consider the findings of the site visit.
 - (b) The Board will consider any reports and/or research provided by the Tennessee Center for Nursing in making its decision on the approval of an application for a nursing education program.
 - (c) All aspects of the application shall be reviewed at a regularly scheduled meeting of the Board, and the institution will be advised of the Board's action.
- (5) Full approval—The Board shall approve the program upon:
 - (a) Graduation of the first (1st) class; and
 - (b) Completion of a Board program survey visit concurrent with graduation of the first (1st) class or eligibility for the National Council Licensure Examination, or with established eligibility for a national certification in an Advanced Practice Nurse role and specialty; and
 - (c) Submission of the program's ongoing evaluation plan and data; and if requested by the Board, periodic reports from the new program regarding initial program operations; and
 - (d) A satisfactory survey report that verifies that the program is in compliance with the board's nursing education standards in Rule .02.
 - (e) NCLEX pass rate for initial attempts of at least eighty-five percent (85%) calculated on a calendar year basis.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-7-117, 63-7-118, and 63-7-207.

1000-5-.06 Continuing Approval of a Nursing Education Program.

- (1) At least once every eight (8) years via an onsite survey visit by the Board's executive director or designee, previously approved nursing education programs will be evaluated for continuing approval. The Board shall monitor and analyze various sources of information regarding program performance on an annual basis, including but not limited to:

- (a) Periodic survey visits and/or reports.
 - (b) Accreditation visits and reports.
 - (c) Results of ongoing program evaluations.
 - (d) Other sources of information regarding achievement of program outcomes, including:
 - 1. Student retention and attrition.
 - 2. Faculty turnover.
 - 3. Complaints regarding program.
 - 4. Trend data regarding National Council Licensure Examination performance.
 - 5. Trend data regarding success in obtaining national certification for Advanced Practice Nurse roles and specialties.
- (2) Continuing approval will be granted upon the board's verification that the program is in compliance with the Board's nursing education standards in Rule .02.
- (a) If the Board determines that an approved nursing education program is not meeting the criteria set forth in these regulations, the governing academic institution shall be given a reasonable period of time to submit an action plan and to correct the identified program deficiencies.
 - (b) The Board may grant conditional approval when it determines that a program is not fully meeting approval standards.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-7-117, 63-7-118, 63-7-119, and 63-7-207.

1000-5-.07 Denial, Withdrawal and Reinstatement of Approval, or Closing of a Nursing Education Program.

- (1) The Board may deny an application for initial approval if it determines that a new nursing education program will be unable to meet the standards for nursing education.
- (2) The Board may withdraw approval if it determines that:

1. A nursing education program fails substantially to meet the standards for nursing education; or
2. A nursing education program fails to correct the identified deficiencies within the time specified.
- (3) The Board may reinstate approval if the program submits evidence of compliance with nursing education standards within the specified time frame.
- (4) Closing of a School of Nursing — When the controlling board of an institution contemplates the closing of an approved school of nursing, it shall notify the Board to this effect.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-7-117, 63-7-118, 63-7-119, and 63-7-207.

Repeals

Rule 1000-1-.05, Schools - Approval, is repealed.

Rule 1000-1-.06, Schools - Philosophy, Purpose, Administration, Organization, and Finance, is repealed.

Rule 1000-1-.07, Schools - Faculty, is repealed.

Rule 1000-1-.08, Schools - Students, is repealed.

Rule 1000-1-.09, Schools - Curriculum, Instruction, Evaluation, is repealed.

Rule 1000-1-.10, Schools - Educational Facilities, is repealed.

Rule 1000-2-.05, Schools - Approval, is repealed.

Rule 1000-2-.06, Schools - Philosophy, Purpose, Administration, Organization, and Finance, is repealed.

Rule 1000-2-.07, Schools - Faculty, is repealed.

Rule 1000-2-.08, Schools – Students, is repealed.

Rule 1000-2-.09, Schools - Curriculum, Instruction, Evaluation, is repealed.

Rule 1000-2-.10, Schools - Educational Facilities, is repealed.

Authority: T.C.A. §§ 4-5-202, 4-5-204, and 63-7-207.

Contact who can answer questions concerning this notice of rulemaking hearing, technical contact for disk acquisition, and person who will approve final copy for publication: Jerry Kosten, Regulations Manager, Division of Health Related Boards, 227 French Landing, Suite 300, Heritage Place, MetroCenter, Nashville, TN 37243, (615) 532-4397.

I certify that this is an accurate and complete representation of the intent and scope of rulemaking proposed by the Tennessee Board of Nursing.

Robbie H. Bell, Director
Health Related Boards

Subscribed and sworn to before me this the 17th day of October, 2006.

Notary Public

My commission expires on the 20th day of March, 2010.

The notice of rulemaking set out herein was properly filed in the Department of State on the ____ day of _____, 2006.

Riley C. Darnell
Secretary of State

By: _____